

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

Emanuel Cook,

v.

Civil Action No.: \_\_\_\_\_

Supervisor of Medical Dept. Barnes  
FCI Elkton

Doctor Dennis Orr,  
Valley Care Health System and  
Trumbull County Northside Hospital et, al.

STATEMENT OF CLAIM  
MALPRACTICE AND NEGLIGENCE OF SURGERY  
AND TREATMENT

COME NOW, Emanuel Cook, hereinafter 'Plaintiff' respectfully submit this Statement of Claim in support of the attached Civil Complaint filed pursuant to 42 U.S.C. § 1983 for filing in the above referenced cause.

I. PARTIES, JURISDICTION AND VENUE

Plaintiff is confined at FCI Elkton Post Office Box 10, Lisbon Ohio 44432, State of Ohio.

1. Plaintiff is and, was at all times mention herein an adult Citizen of the United states and a resident of the State of Illinois.

2. Defendant Barnes, was at all relveent times herein Supervisor of the Medical Department of FCI Elkton, Lisbon Ohio, with responsibility for the Supervision of the Medical Staff and the day-to-day operations of it's policies.

3. Defendant Dennis Orr, was at all relevent times herein a Doctor and/or Surgeon at Valley Care Health System and Trumbull County Northside Hospital, with responsibility to the Health Care Policies.

## II. JURISDICTION AND VENUE

This Action arise under and is brought pursuant to 42 U.S.C § 1983 for Malpractice and Negligience of Medicial Surgery and Treatment. This Court had Jurisdiction over this Action pursuant to 28 U.S.C. § 1331. This cause of Action arose in the District of Ohio therefore venue is proper under 28 U.S.C. ¶ 1391(b).

## III. EXHUSTION OF ADMINISTRATIVE REMEDIES

Plaintiff filed a BP-8 Number DA13-041 on December 11, 2013

which is still pending. And the Defendant FCI Elkton could not award damages for Malpractice and Negligence without an Court Order.

#### IV. STATEMENT OF CLAIM

Plaintiff allege and incorporate by reference numbers 1 and 2, herein that at all relevent times herein, Defendant's were and are "persons" for purpose of 42 U.S.C. § 1983 and acted with Malpractice and Negligence of Medical Surgery and Treatment which destoryed all Possibilities of Plaintiff ever having Biological Children again, which will be set forth more fully below.

#### V. STATEMENT OF FACTS

Plaintiff was at the time, and is a Federal Inmate at FCI Elkton from November 11, 2011, until to day the date of this Complaint.

Upon complaints of pain in the lower abdomen and groin area to the Medical staff at FCI Elkton, The Medical Department took Plaintiff out to Northside Trumbull County Hospital in Youngstown Ohio. On July 27, 2012, Surgery was preformed by Doctor Dennis Orr, D.O. This surgery was for the removal of a hernia.

After the surgert was performed by Doctor Dennis Orr, Plaintiff still complained of the same pain and was told by FCI Elkton's Medicial Department Doctor Dunlop after he did an examination that it seemed as though the hernia was still in place. Doctor Dunlop then informed Plaintiff that the Doctor that performed the surgury (Doctor Dennis Orr) was coming to FCI Elkton to follow up on Plaintiff's surgery.

A week later when Doctor Orr came to examine Plaintiff he told Plaintiff that is was just fluid and the pain would go away. It was plain by this time that Plaintiff's groin area had swollen rather huge especiall in the sak area where Plaintiffs Testicles were.

After reporting back to FCI Elkton's Doctor Dunlap what Doctor Dennis Orr said, Doctor Dunlop found the paperwork on what was done in surgery by Doctor Dennis Orr, And after reviewing it, Doctor Dunlop stated to Plaintiff that it does not look good. Doctor Dunlop stated that he wanted to get a CT Pelvis Scan done and that Plaintiff would probably have to have another surgery.

There was never a CT Scan, or an Xray done at all before the operation and/or surgery performed by Dcotor Dennis Orr, or after the surgery. A month leter, after the test results came back. It was discovered that Plaintiff had two masses tumors.



After another month FCI Elkton's Medical Department had Plaintiff taken to be seen by Urological Surgeons and was told that the masses are called Ilposarcoma Tumors. This new Doctor stated that he did not understand why the previous Doctor, ~~stated~~ (Doctor Dennis Orr) stated that he had fixed the hernia problem and the problem was still there ... And Doctor Dennis Orr had stuffed Plaintiffs body with a Mesh. The URO Durgeon stated that he wanted Plaintiff to go see a Specialist that deals with Liposarcoma just in case the Tumors were cancerous and that it should be taken care sooner rather than later.

During the first week of October 2012, Plaintiff was taken to UPMC Shadyside By FCI Elkton's Medical Department to see Doctor Ronald Hrebinko to set up a date for Surgery. On October 15, 2012, Plaintiff was returned to UPMC Shadyside Hospotal for surgery. It was there that Doctor Herbinko stated that the first surgery performed by Dcotor Dennis Orr, was worng and misdianosed as a hernia. And the Mesh that was inserted by Doctor Dennis Orr, made the upcoming surgery so difficult and my have even compromised Plaintiffs life in the near future. And because of the botched first surgery, Plaintiff had to have his Testicles removed due to the fact that his organs were now growing into the Mesh that was wrongly inserted.

by Doctor Dennis Orr. The removal of Plaintiffs Testicles has destroyed [ALL] Possibilities of Plaintiff ever having Biological Children.

## VI. TERMS

Plaintiff has had to endure very emotional and mental stress and challenges when he was informed that he would never be able to produce Children again due to the fact that the Medical Department here at FCI Elkton Defendant 1, and the Medical Doctor Dennis Orr, at Valley Care Health Systems and Trumbull County Northside Hospital misdiagnosed Plaintiffs condition and botched Plaintiffs surgery to point where Plaintiff could have died by the hands of Doctor Dennis Orr, Defendant 2. The Defendants should be held accountable for Damages in the Amount of Twenty Million Dollars:(\$20,000,000.00)::

Ten Million Dollars (\$10,000,000.00) for the Defendant's Destroying Plaintiffs ability to reproduce Children.

Five Million Dollars (\$5,000,000.00) for Medical Malpractice and Negligence.

Three Million Dollars (\$3,000,000.00) for mental and emotional damages.

One Million Dollars (\$1,000,000.00) for disfigurement. and

One Million Dollars (\$1,000,000.00) for punitive damages.

SUMMATION

It is clear and convincing that the Federal Bureau of Prisons FCI Elkton Medical Department Contracted Doctor Dennis Orr, to preform my Operations and/or Surgury therefore the Medical Department here at FCI Elkton is liable for damages.

Also, Plaintiff would be willing to settle this matter for Ten Million Dollars (\$10,000,000.00) out of Court. If the Defendant's do not agree to this settlement then Plaintiff is willing to let a jury decide this matter.

Thank you for your time and attention in the above referenced matters.

Respectfully submitted

Emanuel Cook

Emanuel Cook, Pro-se  
FCI Elkton  
Post office Box 10  
Lisbon, Ohio 44432  
U.S.M.S. No.: 09112-025

CERTIFICATE OF SERVICE

I, Emanuel Cook, hereby certify that I have mailed a copy of this Civil Action Complaint, via, U.S. Postal Service, Postage Pre-paid on this the 5 day of January, 2013, from FCI Elkton to the following address:

United States Attorney's Office  
100 East Federal Plaza, Suite 325  
Youngstown, Ohio 44503  
Attn Assistant U.S. Attorney

Doctor Dennis Orr,  
500 Gypsy Lane  
Valley Health Care System  
Youngstown, Ohio 44504

  
/s/ Emanuel Cook